

House Bill 226 (AS PASSED HOUSE AND SENATE)

By: Representatives Cheokas of the 134th, Barnard of the 166th, Lane of the 158th, Black of the 174th, Sellier of the 136th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to confinement in probation detention center, so as to change provisions relating to the sentencing and confinement of certain defendants in a probation detention center; to permit credit for time served in confinement while awaiting confinement in a probation detention center; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 42-8-35.4 of the Official Code of Georgia Annotated, relating to confinement in probation detention center, is amended by revising subsection (a) as follows:

"(a) In addition to any other terms and conditions of probation provided for in this article, the trial judge may require that a defendant convicted of a felony and sentenced to a period of not less than one year on probation or a defendant who has been previously sentenced to probation for a forcible misdemeanor as defined in paragraph (7) of Code Section 16-1-3 or a misdemeanor of a high and aggravated nature and has violated probation or other probation alternatives and is subsequently sentenced to a period of not less than one year on probation shall complete satisfactorily, as a condition of that probation, a program of confinement in a probation detention center. Probationers so sentenced will be required to serve a the period of confinement as specified in the court order, ~~which confinement period shall be computed from the date of initial confinement in the probation detention center.~~"

SECTION 2.

This Act shall become effective on July 1, 2009, and shall apply to probationers sentenced on or after such date.

SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.